



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
ENVIRONMENTAL  
CLEANUP

**JUL 05 2012**

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

David St. John  
King Street Center  
201 S Jackson Street, Room 700  
Seattle, Washington 98104-3855

Re: Request for Information Pursuant to Section 104(e) of CERCLA for the Lower Duwamish Waterway Superfund Site, Seattle, Washington

Dear Mr. St. John:

The U.S. Environmental Protection Agency has reviewed your responses to the 104(e) Request for Information, received June 3, 2011; June 8, 2011; March 14, 2012 and March 22, 2012, and has additional and clarifying questions.

EPA recognizes that King County expended a large amount of time and effort in responding to the EPA's Information Requests. Although much of the submitted documentation and information is well formatted and easily accessible, there are some issues with the responsive documentation and indices, which we are briefly describing below. EPA would like to set up a meeting to discuss the resolution of these issues with King County. Therefore, we request that you contact Aaron Lambert at (206) 553-5122 to arrange a time to discuss these issues within fifteen (15) days of your receipt of this letter.

In order to process and review the information contained in the response, it is necessary to have descriptive information including a title and, where necessary, a brief narrative explanation of the documentation. After an initial review of your response, EPA would like to discuss a path forward to resolve the following issues:

1. The following discs submitted by King County provide indices; however, a number of the index entries do not have corresponding documents. Provide OCR'd copies of the missing documents that are listed in the indices on the following discs:
  - a. LDW\_CERCLA\_KCRSD\_Response\_4.20.11 (*39 Missing Files*)
  - b. WTD\_EPA104e\_Phase 1\_Submittal 5-19-11 (*8 Missing Files*)
  - c. DDES-LUSS KC DDES 12-12-11  
DDES-LUSS Project Reports (*5 Missing Files*)
  - d. DNRP-WLRD-Stormwater Live Files Investigations List  
DNRP-WLRD-Stormwater WLR Stormwater (*5 Missing Files*)
2. The following discs submitted provide documents; however, there is no associated index entry for some of the documents provided. Provide index information for the extra documents on the following 104(e) Response discs:

- a. LDW\_CERCLA\_KCRSD\_Response\_4.20.11 (3 Documents with no Index Entry)
  - b. DDES-LUSS KC DDES 12-12-11  
DDES-LUSS Project Reports (1 Document with no Index Entry)
  - c. DNRP-WLRD-Stormwater Live Files Investigations List  
DNRP-WLRD-Stormwater WLR Stormwater (4 Documents with no Index Entry)
3. The following discs have index entries with possible corresponding documents; however, the file names and unique identifiers do not quite match. Provide an updated index and matching documents for the following 104(e) Response discs:
  - a. LDW\_CERCLA\_KCRSD\_Response\_4.20.11 (25 Mislabeled Documents)
  - b. DDES-LUSS KC DDES 12-12-11  
DDES-LUSS Project Reports (19 Mislabeled Documents)
4. The four (4) discs from King County Department of Executive Services – Facilities Management Division: Real Estate Services (KC-DES-FMD-RES: 9-1-11; 12-12-11; Index 3-7-12; and Parcel Maps 1-9-12) contain 34 PDF documents and 4 other non-PDF files with no corresponding index. The index supplied in this part of the response contains a listing of 275 documents, none of which were provided as part of the Response. Provide an updated index to include the 38 documents not previously listed in the index and provide an OCR'd copy of the 275 documents listed in the index supplied.
5. The disc named DNRP-WTD-Industrial Waste WTD EPA contains an index that lists 733 documents; however, the disc only contains 175 files, only 71 of which have a file name that matches the index entry. On this disc, 662 index entries do not have matching files and 104 files have a potential matching index entry; however, the file names and unique identifiers provided in the index do not match. Provide an OCR'd copy of the missing documents and the corresponding index.
6. Clarify if the documents provided in the Stormwater Services disc (DNRP-WLRD-Stormwater Live Files Investigations list) are identical to the disc submitted by King County Wastewater and Land Resources Division: DNRP-WLRD-Stormwater Live Files Investigations List. The disc from Stormwater Services contained a database that was corrupt, which gives cyclical data error when trying to copy the database. If the above discs are not identical, provide an updated version of the disc from Stormwater Services with an uncorrupted version of the database.

The EPA cannot finish processing this response until these issues are addressed. We believe that a discussion with King County would be the quickest and easiest way to resolve the issues briefly described above.

Please contact Aaron Lambert at (206) 553-5122 to arrange a time to discuss the resolution of these issues. Any communication by any attorney on your behalf should be directed to Alex Fidis, EPA Office of Regional Counsel, at (206) 553-4710.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Shawn Blocker".

*Shawn*  
Shawn Blocker  
Unit Manager  
Remedial Cleanup Program  
Site Cleanup Unit #3

Enclosure





### Specific Details of File Inconsistencies

#### LWD\_CERCLA\_KCRSD\_Response\_4.20.11

##### File inconsistencies:

- 25 files have a potential index match, but this is uncertain

Unique ID	Possible File Name Match
KCRSD1203043	KCRSD1203043
KCRSD1204093	KCRSD1203093
KCRSD1204094	KCRSD1203094
KCRSD1204095	KCRSD1203095
KCRSD1204096	KCRSD1203096
KCRSD120530	KCRSD1205030
KCRSD120531	KCRSD1205031
KCRSD120533	KCRSD1205033
KCRSD120534	KCRSD1205034
KCRSD120535	KCRSD1205035
KCRSD120537	KCRSD1205037
KCRSD120538	KCRSD1205038
KCRSD120539	KCRSD1205039
KCRSD120540	KCRSD1205040
KCRSD120541	KCRSD1205041
KCRSD120543	KCRSD1205043
KCRSD120544	KCRSD1205044
KCRSD120545	KCRSD1205045
KCRSD120546	KCRSD1205046
KCRSD120547	KCRSD1205047
KCRSD120528	KCRSD1205028
KCRSD120350	KCRSD1203050
KCRSD1204032	KCRSD1203032
KCRSD1204125	KCRSD1203125
KCRSD1204133	KCRSD1203133

- Three PDF Documents with no index match:

##### No Index Entry

KCRSD1102001

KCRSD1203011

KCRSD120337

- 39 documents listed in the index with no corresponding files on the disc:

No PDF Provided
KCRSD1103009
KCRSD1104001
KCRSD1203002
KCRSD1203003
KCRSD1203036
KCRSD1203037
KCRSD1204004
KCRSD1204009
KCRSD1204023
KCRSD1204045
KCRSD1204056
KCRSD1204063
KCRSD1204101
KCRSD1204102
KCRSD1204107
KCRSD1204108
KCRSD1204115
KCRSD1204116
KCRSD1204119
KCRSD1204120
KCRSD1204121
KCRSD1204122
KCRSD1204123
KCRSD1204124
KCRSD1204128
KCRSD1204131
KCRSD1204132
KCRSD1205023
KCRSD120529
KCRSD120548
KCRSD1206003
KCRSD1401001104
KCRSD1405012
KCRSD1405018
KCRSD1405021
KCRSD1405031
KCRSD1405032
KCRSD1405063
KCRSD120532

## WTD\_EPA104e\_Phase1\_Submittal 5-19-11

### File Inconsistencies:

- Eight documents listed in the index with no corresponding files on the disc:

No PDF Provided
KC-WTD-32-0065
KC-WTD35-0001
KC-WTD35-0002
KC-WTD35-0003
KC-WTD35-0004
KC-WTD35-0005
KC-WTD35-0006
KC-WTD35-0007

## DDES-LUSS KC DDES 12-12-11

### DDES-LUSS Project Reports

#### File Inconsistencies:

- 19 files have a potential index match, but this is uncertain

Unique ID	Possible File Name Match
B06C0019-1	B06C0119-1
B06C0019-2	B06C0119-2
B06C0019-3	B06C0119-3
B06C0019-4	B06C0119-4
B94C0026	B94C0026-1
B97C0147	B97C0147-1
B98C0070-2	B98C0070-3
C9002747	C9002747-1
C9002789	C9002789-1
C9003447-2	C9003447-3
C9200440	C9200440-1
C92G0495-1	C92G0495-2
E9501059-1	E9501059-2
F04T0022	F04T0022-1
F10T0034	F10T0034-1
L97G0279	L97G0279-1
L0IG069-1	L01CG069-1
L0IG069-2	L01CG069-2
L0IG069-3	L01CG069-3

- 1 PDF Documents with no index match:

<b>No Index Entry</b>
L09SH007-1

- 5 documents listed in the index with no corresponding files on the disc:

<b>No PDF provided</b>
B09C0031-3
C8901720
C9102205-1
E0400198
E9901592

### **DNRP-WLRD-Stormwater Live Files Investigations List**

#### **DNRP-WLRD-Stormwater WLR Stormwater**

##### File Inconsistencies:

- 5 documents listed in the index with no corresponding files on the disc:

<b>No PDF Provided</b>
KC-WLR-CF-038
KC-WLR-DYC-014
KC-WLR-DYC-015
KC-WLR-DYC-018
KC-WLR-DYC-019

- 4 files with no index match (3 maps files and 1 other)

KC-WLR-FS-001
LDW_EPA_SWSFacilities
LDW_EPA_SWSInvestigations
LDW_EPA_SWSPProjects

### **DNRP-WTD-Industrial Waste WTD EPA**

##### File Inconsistencies (See Attached Spreadsheet):

- Index lists 733 documents
- Disk has 175 files.
- 71 Index entries and files match.
- 662 documents listed in the index with no corresponding files on the disc
- 104 files have a potential index match, but this is uncertain



KC-DES-FMD-RES 12-12-11

KC-DES-FMD-RES 9-1-11

KC-DES-FMD-RES Index 3-7-12

KC-DES-FMD-RES Parcel Maps 1-9-12

File Inconsistencies:

- 34 PDF files, 4 other files (not PDF) with no index match
- Index lists 275 Documents, but there is no association between the 38 provided files and index

